



**City of Greenville**  
**Notice of Administrative Decision**  
**for Applications # CU 16-176, CU 16-177, and CU 16-178**

*This public notice is mailed to property owners within 300 feet of the subject property*

**Property Address:** 21 E COFFEE ST (TMS#: 000100-06-00900)

**Decision:** Approved with Conditions

**Application:** CU 16-177 Restaurant Open until 2 AM (First and Second Floors only)

**Conditions:**

- 1) The Conditional Use Permit is limited to the Applicant, CP2 LLC, and the business known as "Ink N Ivy," and is not transferrable.
- 2) Operation of the first and second floors shall be limited to a "restaurant" as defined by the City Code and substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.
- 3) The use shall operate no later than 2 AM. No person under the age of 21 shall be allowed on the premises after 10 PM. At all times during its occupancy, the Applicant shall assign a manager to floor one and two of the premises who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 4) The Applicant shall designate staff at the main entrance and at ingress / egress points on each floor to be responsible for checking ID's and managing the flow of patrons in order to maintain clear paths of egress and monitor the occupant capacity of each floor.
- 5) ~~There shall be no live entertainment or amplified sound.~~ Live entertainment shall be limited to ambient background musicians. Sound amplification is prohibited except for the transmission of background music through the in-house sound system and directed toward interior spaces on the first two floors. (amended 5/20/16)
- 6) Exterior doors and windows shall remain closed except to provide ingress and egress between the hours of 10 PM and 2 AM when the third floor nightclub is operating. ~~except that On any other days, the roll-up windows facing Coffee Street and Brown Street may be open until 12 Midnight. on Fridays, and Saturdays. (amended 5/20/16)~~
- 7) The Applicant shall retain a minimum of one (1) outdoor security person during the hours of operation between 10 PM and 2 AM on Fridays and Saturdays and at any time while open for business when it is reasonably anticipated that a larger-than-average number of patrons will occupy the premises. The security person(s) must possess a "Security Officer Registration Certificate" pursuant to Chapter 18 of Title 40 of the SC Code of Laws, or as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.
- 8) The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the "Merchant Education / Server Training" Program offered by the Phoenix Center or comparable program offered by other vendor(s) approved by the Greenville Police Department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the Administrator and the Greenville Police Department. Current personnel shall receive training within ninety (90) days of the date of the granting of a Conditional Use Permit and future personnel shall receive training within thirty (30) days of hiring.
- 9) Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by proprietors.
- 10) Operation and maintenance of the facility, regardless of the hours permitted to be open to the public, shall comply with the Noise Ordinance, Sec. 16-91 of the City Code.
- 11) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.



**Application: CU 16-178 Nightclub and Event Venue Open until 2 AM** (Third Floor only)

**Conditions:**

- 1) The Conditional Use Permit is limited to the Applicant, CP2 LLC, and the business known as "Ink N Ivy," and is not transferrable.
- 2) Operation of the third floor shall be limited to a "nightclub" and "event venue" as defined by the City Code and substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.
- 3) The use shall operate no later than 2 AM. No person under the age of 21 shall be allowed on the premises after 10 PM. At all times during its occupancy, the Applicant shall assign a manager on this level who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 4) The third floor shall only be open to the public when operated in the following manners:
  - For regular or advertised **nightclub events**, typically from 10 PM until 2 AM on Wednesdays, Fridays, and Saturdays; with a dance floor and live music or disc jockey entertainment; and the maximum occupancy not to exceed 241 (exact number to be verified by the City Building Codes Department and posted on the premises);
  - For **private events** by rental contract, such as corporate parties, wedding rehearsals, etc; having the maximum occupancy limited to 139 people based on the "Alternate Seating Plan" prepared by Johnston Design Group (3/30/16);
  - For secure access to restrooms any time the rooftop bar is open.
- 5) During nightclub events, a dress code shall be strictly enforced by designated staff and shall be posted at the entrance for patrons to view.
- 6) Low frequency (bass) sound is prohibited after midnight unless the Applicant provides documentation by an acoustical engineer who shall certify to the City that sound from the third floor nightclub use will not transmit noise and / or vibrations to surrounding residential properties and that acoustic measures have been taken to ensure that sound, especially in the lower frequencies (bass) will not be transmitted to those nearby residences beyond what is considered normal background levels that currently exist as measured by a sound level meter.
- 7) The Applicant shall retain a minimum of two (2) off-duty sworn law enforcement officers outside the business during all nightclub events, in addition to any other requirement for outdoor security persons at this business.
- 8) The Applicant shall designate staff at the main entrance and at ingress / egress points on each floor to be responsible for checking ID's and managing the flow of patrons in order to maintain clear paths of egress and monitor the occupant capacity of each floor.
- 9) The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the "Merchant Education / Server Training" Program offered by the Phoenix Center or comparable program offered by other vendor(s) approved by the Greenville Police Department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the Administrator and the Greenville Police Department. Current personnel shall receive training within ninety (90) days of the date of the granting of a Conditional Use Permit and future personnel shall receive training within thirty (30) days of hiring.
- 10) Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by proprietors.
- 11) Operation and maintenance of the facility, regardless of the hours permitted to be open to the public, shall comply with the Noise Ordinance, Sec. 16-91 of the City Code.
- 12) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

**Application: CU 16-176 Rooftop Bar Open until 2 AM**

**Conditions:**

- 1) The Conditional Use Permit is limited to the Applicant, CP2 LLC, and the business known as "Ink N Ivy," and is not transferrable.
- 2) Operation of the fourth level, open rooftop shall be limited to a "bar" as defined by the City Code and substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.



- 3) The rooftop bar shall operate no later than 2 AM. No person under the age of 21 shall be allowed on the premises. At all times during its occupancy, the Applicant shall assign a manager for the floor who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 4) There shall be no live entertainment or amplified sound. Only background levels of recorded music may be transmitted through an in-house sound system and directed toward interior spaces, and shall be turned off at 12 Midnight.
- 5) Maximum occupant capacity of the rooftop shall be determined by the City Building Codes Department. The Applicant shall designate staff at all ingress / egress points on this level to check ID's and to be responsible for maintaining clear paths of egress and monitoring the occupant capacity.
- 6) At any time the restaurant, nightclub and rooftop bar are simultaneously open, the Applicant shall retain a minimum of three (3) off-duty sworn law enforcement officers outside the business during the hours of operation between 10 PM and 2 AM.
- 7) The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the "Merchant Education / Server Training" Program offered by the Phoenix Center or comparable program offered by other vendor(s) approved by the Greenville Police Department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the Administrator and the Greenville Police Department. Current personnel shall receive training within ninety (90) days of the date of the granting of a Conditional Use Permit and future personnel shall receive training within thirty (30) days of hiring.
- 8) Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by proprietors.
- 9) Operation and maintenance of the facility, regardless of the hours permitted to be open to the public, shall comply with the Noise Ordinance, Sec. 16-91 of the City Code.
- 10) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

By applications filed 3/15/16 the Applicant, CP2, LLC dba "Ink N Ivy" requested Conditional Uses pursuant to Section 19-2.3.6, *Conditional Use Permit*, Section 19-4.1, *Table of Uses*, and Section 19-4.3.3, *Use Specific Standards*, of the Greenville City Code to operate a restaurant after midnight, a nightclub and event venue, and a rooftop bar after midnight in the C-4, Central Business District. Notice was mailed to property owners within 300 feet of the subject property on March 17, 2016. The Applicant met with the Technical Advisory Committee on March 21, 2016.

#### **Findings:**

- The Technical Advisory Committee made sufficient findings to recommend approval of the permit, subject to the conditions enumerated above and the Report of the Technical Advisory Committee.
- The use complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of Section 19-4.3, *Use Specific Standards*.
- The infrastructure capacity is adequate to serve the conditional use.
- The use complies with the standards for granting a special exception:

The use is consistent with the comprehensive plan. The Future Land Use Map of the City's comprehensive plan designates the area as "Mixed-Use City Center."

The use can be compatible with the character of surrounding lands. The use is located in the C-4, Central Business District, which encourages pedestrian-oriented development including specialty and neighborhood-oriented retail. Surrounding lands provide a mix of office, service, retail, entertainment, civic, and residential uses. The business will occupy four levels of an historic building to offer a variety of entertainment, including a 2-level restaurant with sidewalk seating, a rooftop bar, and a lounge / nightclub that can also be rented for private events.

There are residential condominiums at the corner of E Coffee St and N Main St which may be the most impacted by a new late night establishment of this size – there are several late night businesses already in the area. Two apartment buildings are also located directly down N Brown St at E Washington St (one block away). Adverse impacts associated with the design of the use, which may include noise, vibrations, disorderly or drunken behavior, or late-night loitering in surrounding neighborhoods are intended to be addressed by the conditions enumerated above.

**Appeal:**

Any person believing that the administrator erred in its decision has the right to appeal the decision to the City of Greenville Board of Zoning Appeals. The appeal form and fee must be submitted to the Planning and Development office within 10 business days after the decision is made, and must state the reasons he or she believes the decision is illegal, either in whole or in part.

**Conditional Use Permit:**

The Conditional Use Permit issued to the Applicant is required to be maintained with other posted occupancy information on the premises, available to city inspectors.

**General Information:**

The appropriate responsible party must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Conditional Use is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.

  
\_\_\_\_\_  
Michael Kerski  
Planning and Development Manager

5/19/16  
\_\_\_\_\_  
Date



CU 16-176      CU 16-178

Application # <u>CU 16-177</u>	Fees Paid _____
Date Received: <u>3/15/16</u>	Accepted by _____
Date deemed complete _____	App Deny Conditions _____



## APPLICATION FOR CONDITIONAL USE CITY OF GREENVILLE, SOUTH CAROLINA

**APPLICANT / PERMITTEE\*:** CP2 LLC DBA INK N IVY  
 \*Operator of the proposed use; Name Title / Organization  
 permit may be limited to this entity. \_\_\_\_\_

**APPLICANT'S REPRESENTATIVE:** Brian Shelton Regional Manager  
 (Optional) Name Title / Organization

**MAILING ADDRESS:** 21 E Coffee St Greenville, SC

**PHONE:** 864-906-7771 **EMAIL:** Brians@thebottlecapgroup.com

**PROPERTY OWNER:** GRE LLC Robert Watson

**MAILING ADDRESS:** 201 Cleveland St Greenville, SC

**PHONE:** 864-414-7181 **EMAIL:** mwatson@aol.com

### PROPERTY INFORMATION

**STREET ADDRESS:** 21 E. Coffee St Greenville, SC

**TAX PARCEL #:** 600100600900 **ACREAGE:** \_\_\_\_\_ **ZONING DESIGNATION:** C-4

### REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance ([www.municode.com/library/](http://www.municode.com/library/))

**DESCRIPTION OF PROPOSED LAND USE:** 1st and Second Floor

- 177 ① Restaurant Open after midnight (2 AM)
- 178 ② 3rd Floor Nightclub - 2 AM
- 176 ③ Rooftop Bar - 2 AM

### INSTRUCTIONS

1. The application and fee, made payable to the City of Greenville, must be submitted to the planning and development office during normal business hours.
2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a conditional use). See also **Section 19-2.3.6, Conditional Use Permit**, for additional information. You may attach a separate sheet addressing these questions.
3. For conditional use requests for nightclubs/bars, event venues, or businesses operating after midnight, the applicant must also submit the Zoning Compliance Application for Establishments Serving Beer, Wine, or Liquor.

## INK N IVY

### 1st Floor

Restaurant + Bar Serving Beer, Wine, and Liquor.  
outdoor seating on sidewalk and garage door bar area.  
Serving BWL until 2am

### 2nd Floor

Restaurant + Bar Serving Beer, Wine, and Liquor  
Serving BWL until 2am

### 3rd Floor

Lounge / Nightclub with the ability to have live  
music or DJ. Limited Nights open with event space availability.  
Ability to serve BWL until 2:00 AM

### 4th Floor Rooftop

Rooftop bar with the ability to serve BWL until 2:00 AM

## INK N IVY

1st Floor and Second Floor Hours of Operation  
Monday through Sunday Hours 11am to 2am

### 3rd Floor

Example - Wednesday, Friday, and Saturday  
Hours - 10pm - 2am

### 4th Floor Rooftop

Weather Permitting 11am to 2am Monday thru Sunday



### Ink n Ivy Staffing

1st and Second Floor Plus Roof top

7 managers including Chef

40 Servers, Host, Bartenders

20 COOKS, Prep, and dish

Approx 70 Employees

### 3rd Floor

1 dedicated Manager

10 Bartenders

Kitchen Equipment Schedule Submitted

Food Will be Served 11am to 1am

### Parking

Dedicated Spaces on lot behind Tsunami

Pay Parking at downtown lots

Street Parking

### Smoking

Smoking will not be permitted in building.

Disposable Smoking Cans will be provided  
away from door area on sidewalk.

## Entertainment

Live music From area appropriate bands

Live DJ music From area DJs

## Closing

Last Call will be called up to 30 minutes prior to closing. 15 minutes to closing no more drinks will be served. All drinks will be off tables 5 minutes prior to 2AM closing time.

## Security

Bonded and Certified Security will be employed and present during peak time. Coordination with City police for requirements of law enforcement presence.

## Seating Plans Submitted

## Business Plan Summary

3rd Floor - Target Audience young professionals target 25-50yr old with disposable income.

1st + 2nd Floor - Target Audience Family - young professional - business persons. Check Average will range from \$15-\$25 per person Food. High End Entrees will Range \$28-\$40 per plate.



INIL N Fry 1st + 2nd Floor  
Projected Food vs BWL  
70% Food 30% BWL

Lounge  
100% BWL

Roof Top  
80% BWL 20% Food

Contact has been made but applications not filled  
out currently for SC DHEC or SC DOR  
for permits.

Health and BWL Permits will be applied  
for this week.

# INK & IVY RESTAURANT & BAR

24 EAST COFFEE STREET  
GREENVILLE, SOUTH CAROLINA

Johnston Design Group, LLC  
ARCHITECTS  
24 EAST COFFEE STREET  
GREENVILLE, SC 29601  
P: 864.400.0900  
F: 864.400.0904  
johnstondesigngroup.com



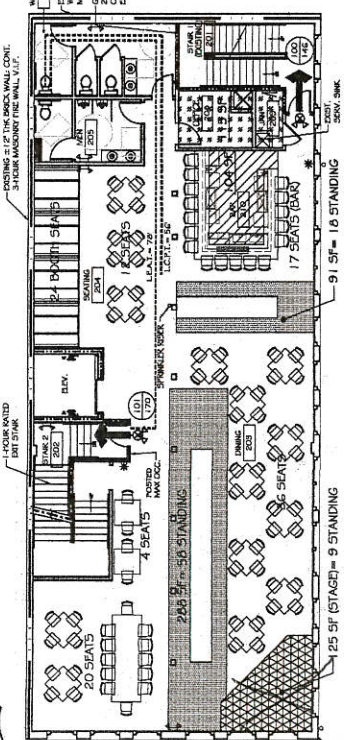
No.	Issued By	Checked/Description
1	DAVID DA	PRELIMINARY
2	DAVID DA	CODE COMMENTS
3	DAVID DA	REVISIONS

Computation: 24/02/2014  
Date: 12/14  
Drawn By: BJS  
Checked By: BJS

## LIFE SAFETY PLAN

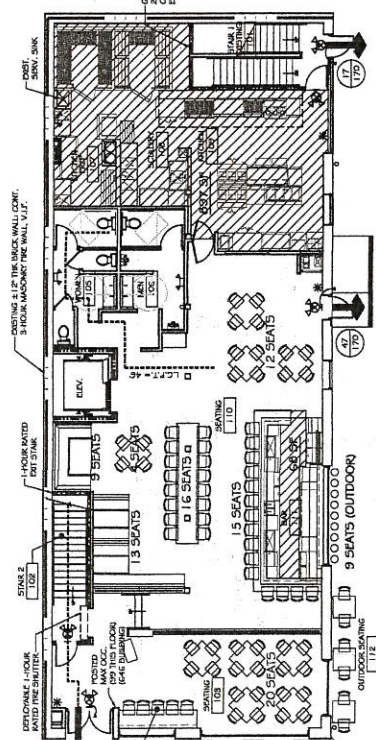
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- SECOND FLOOR OCCUPANCY CALCULATIONS**
- COMMERCIAL KITCHEN  
104 SF @ 1 PER 200  
= 1 OCCUPANT
  - BUSINESS  
115 SF @ 1 PER 100  
= 2 OCCUPANTS
  - ASSEMBLY SEATING  
25 SF @ 1 PER 5  
= 5 OCCUPANTS
  - ASSEMBLY STANDING  
125 SF @ 1 PER 15  
= 9 OCCUPANTS
- SECOND FLOOR TOTAL = 16 OCCUPANTS**



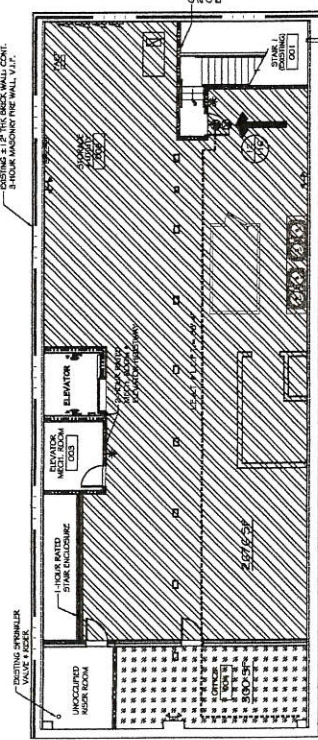
3 SECOND FLOOR EGRESS PLAN  
1/8" = 1'-0"

- FIRST FLOOR OCCUPANCY CALCULATIONS**
- COMMERCIAL KITCHEN + PAN  
104 SF @ 1 PER 200  
= 1 OCCUPANT
  - BUSINESS  
115 SF @ 1 PER 100  
= 2 OCCUPANTS
  - ASSEMBLY SEATING  
25 SF @ 1 PER 5  
= 5 OCCUPANTS
  - ASSEMBLY STANDING  
125 SF @ 1 PER 15  
= 9 OCCUPANTS
- FIRST FLOOR TOTAL = 16 OCCUPANTS**



2 FIRST FLOOR EGRESS PLAN  
1/8" = 1'-0"

- BASEMENT OCCUPANCY CALCULATIONS**
- BUSINESS  
115 SF @ 1 PER 100  
= 2 OCCUPANTS
  - ASSEMBLY SEATING  
25 SF @ 1 PER 5  
= 5 OCCUPANTS
  - ASSEMBLY STANDING  
125 SF @ 1 PER 15  
= 9 OCCUPANTS
- BASEMENT TOTAL = 16 OCCUPANTS**



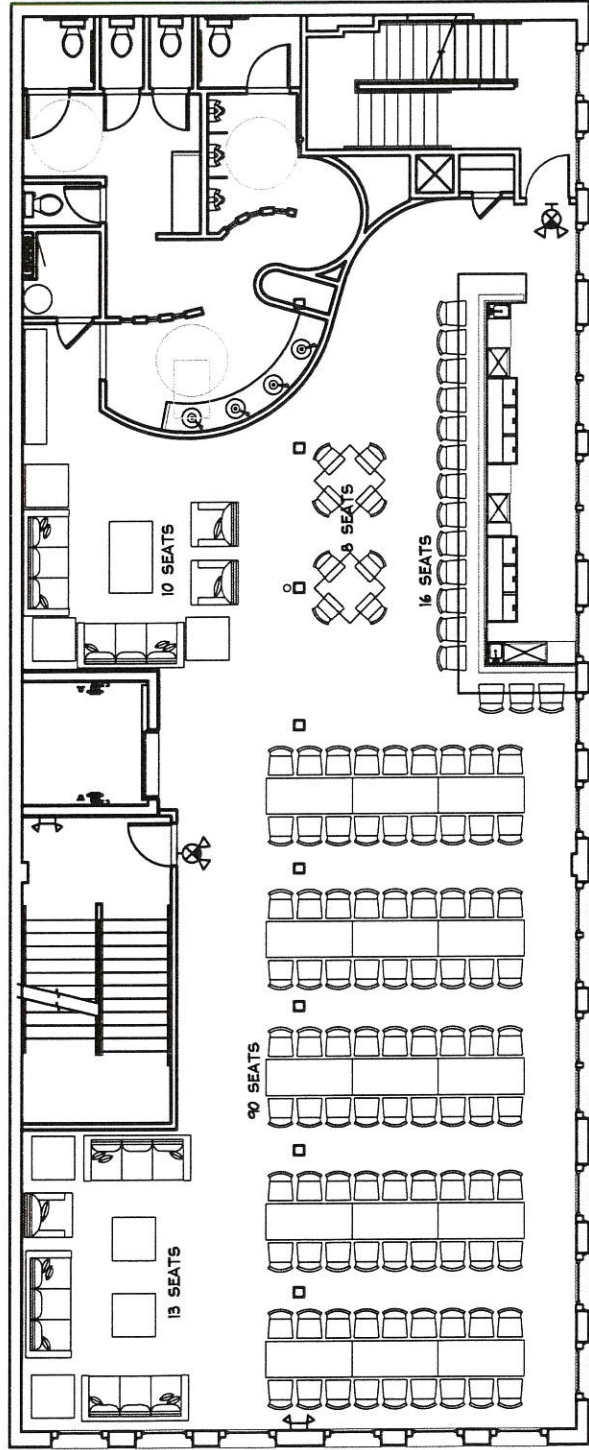
1 BASEMENT LEVEL EGRESS PLAN  
1/8" = 1'-0"

**LIFE SAFETY LEGEND**

- 1. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 2. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
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- 89. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 90. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 91. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 92. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 93. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 94. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 95. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 96. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 97. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 98. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 99. 1-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL
- 100. 2-HOUR RATED FIRE EXTINGUISHER IN WALL TING STAINLESS STEEL



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ALTERNATE THIRD FLOOR SEATING PLAN:  
 137 SEATS,  
 2 EMPLOYEES=  
 139 OCC. TOTAL



PROJECT #:	214026	DATE:	3/30/16
PROJECT NAME:	INK & IVY		
DESCRIPTION:	(ALTERNATE) SEATING PLAN		
	THIRD FLOOR		
	SCALE: 1/8" = 1'-0"		

AB 1.0



